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Committee on the Elimination of Discrimination against Women
Seventieth session

Summary record of the 1613th meeting
Held at the Palais des Nations, Geneva, on Tuesday, 10 July 2018, at 3 p.m.

Chair: Ms. Leinarte

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Fifth periodic report of Turkmenistan (*continued*) (CEDAW/C/TKM/5; CEDAW/C/TKM/Q/5 and CEDAW/C/TKM/Q/5/Add.1)

1. *At the invitation of the Chair, the delegation of Turkmenistan took places at the Committee table.*

Articles 10 to 14 (*continued*)

2. **Mr. Seyilov** (Turkmenistan) said that free education for all was an inalienable right enshrined in the Constitution. Access to vocational training was also guaranteed by the State and university education was provided free of charge. Equality was one of the fundamental principles of the current education policy, which had been introduced in 2013.

3. Similarly, everyone had the right to access State-funded health care and to food and nutrition under the Protection of the Health of Citizens Act. Preventive care and treatment specifically targeted at different segments of society, including mothers and children, were also available.

4. The right to work of all citizens was guaranteed under article 49 of the Constitution. The provision included the right to choose a profession and to have safe and healthy working conditions. It also prohibited forced and child labour. Men and women had the same employment rights and were entitled to equal pay for work of equal value under the country's labour laws. In accordance with the Constitution, the State provided social security for mothers and women with disabilities, among other vulnerable persons.

5. **Mr. Govshudov** (Turkmenistan) said that all citizens of Turkmenistan, regardless of ethnicity, were entitled to study at the country's 25 institutions of higher education or 42 institutions of specialized secondary education. The number of students enrolled in higher educational establishments in the 2017/18 academic year had increased by 14 per cent compared with 2012/13. Students were given the opportunity to study abroad under agreements with education ministries in other countries. In industry-related fields, 21 per cent of students were women, 17 per cent of women studied transport and communication subjects, and 9 per cent studied economics and law.

6. **Ms. Chalal** said that she would appreciate information on the services available to women and girls for the prevention and treatment of HIV/AIDS and the period during which abortions could be carried out legally, which had been reduced from 12 to 5 weeks. According to alternative reports, police officers forcibly conducted gynaecological exams on girls to ensure that the hymen was intact. Where it was not, the girls and their families were publicly humiliated, which, in some cases, had driven girls to suicide. She invited the delegation to comment on whether there was any truth to those reports.

7. **Ms. Hayashi** said that she would like to know what percentage of women studied subjects related to science, technology, engineering or mathematics (STEM), whether university education was free of charge and whether any scholarships were available to ethnic minorities, women with disabilities and women from deprived areas.

8. **Ms. Eghobamien-Mshelia** said that, while she was grateful for the statistics provided by the delegation, she had received no reply to her question on the challenges relating to the recruitment of women in the industrial sector. Were women assured of employment opportunities after they graduated? It would also be helpful to have comments on any training programmes to enable women to make a transition to new fields of work.

9. **Mr. Orazov** (Turkmenistan) said that health sector funding had risen by 65 per cent in the reporting period. Most of that additional spending had been focused on the programme for reproductive, maternal and child health. There had been ongoing efforts under the National Programme on HIV/AIDS to expand access to HIV counselling and testing for various groups and to raise awareness, especially among young people, on preventing the spread of HIV. Free mandatory testing had been introduced for pregnant

women, blood donors and transfusion recipients, medical staff coming into contact with biological fluids and others. A competent body subject to State oversight regulated all measures to prevent the spread of HIV. Groups who were particularly vulnerable to contracting HIV were monitored and a helpline provided them with information and advice.

10. **Ms. Serdarova** (Turkmenistan) said that, if there was a risk of congenital disease, abortions could be carried out in the first five weeks of gestation. Otherwise, abortions could be performed as late as 12 weeks to preserve the health of the pregnant woman.

11. The Women's Union of Turkmenistan and other organizations held sessions in schools to raise awareness among adolescents of the dangers of early pregnancy and other sexual health issues, including HIV/AIDS. Few women gave birth at home; however, those who did subsequently received treatment at clinics or hospitals to assess the health of the mother and baby. Campaigns involving medical professionals and women's groups were carried out across the country, including in remote areas, to raise awareness of cervical cancer and other illnesses that affected women.

12. **Ms. Sysoyeva** (Turkmenistan) said that male infertility was a serious problem in the country and was on the rise. The Government was devoting significant attention to the issue and specialist doctors and other medical professionals had been recruited to tackle the issue.

13. Significant progress had been made in terms of women's employment in recent years. Women made up a large part of the working population and accounted for 30 per cent of the number of persons registered in the country's employment agencies. Of those registered, nearly 90 per cent were employed. The situation was almost the same for women in rural areas. Moreover, the overall wage gap between men and women had been reduced from 13 per cent in 2015 to approximately 10 per cent in 2017. Progress had been made in reforming the national labour laws. For example, restrictions on night work, overtime and business travel for women with children up to three years of age had been lifted. In accordance with the Labour Code of 2009, a list of jobs for which women's employment was subject to certain restrictions was currently under review.

14. **Ms. Acar** said that she would appreciate further clarification of the legal time limit for abortion. If she understood correctly, she took it that abortion was available during the first 12 weeks of gestation but that those who wished to request an abortion within 5 weeks were free to do so. That seemed to her to be obvious.

15. **Ms. Serdarova** (Turkmenistan) said that, in the event of the risk of fetal impairment during the first five weeks of gestation, a board of doctors was called in to determine whether an abortion was indicated. If there was a risk to the health or life of the pregnant woman or fetus, abortion was available during the first 12 weeks.

16. **Ms. Sysoyeva** (Turkmenistan) said that modern technology allowed fetal impairments to be detected earlier on in the gestation period and thus pregnant women to be promptly informed of the risk to the health or life of the woman or fetus.

17. **Ms. Rana** said that she would like to know whether legislation penalized sexual harassment and sex-based discrimination in the workplace, what penalties were imposed on perpetrators and whether there were safe and confidential complaints mechanisms that gave victims access to legal recourse and remedies.

18. **Ms. Eghobamien-Mshelia**, referring to the data provided by the State party in paragraph 221 of the periodic report, asked how women could progress from being predominantly employed in the service sector to employment in higher paid industries, such as construction and skilled farming, and what time frame would be set for women's pay to match men's? The data indicated, for example, that women accounted for 59 per cent of all support staff. Furthermore, she wondered what employment assistance was provided by Turkmenistan to women who pursued higher education overseas.

19. **Ms. Acar** said that she understood that the time frame within which abortion was permitted had been reduced from 12 to 5 weeks and could be extended up to 12 weeks for medical reasons. However, the Committee was interested in learning why that period had been reduced in the first place.

20. **Ms. Sysoyeva** (Turkmenistan) said that the period in which abortion was available was not limited to 5 weeks. Technology had made it possible to detect fetal impairments at the earliest stages of pregnancy. That had not been possible in the past. Women had the right to terminate the pregnancy or decide not to do so. Nevertheless, once a diagnosis of a threat to the health or life of the woman or fetus was made, a medical board could propose within 5 weeks of gestation that an abortion was warranted.

21. **The Chair** said the Committee wished to know whether the legal limit stood at 12 weeks.

22. **Ms. Sysoyeva** (Turkmenistan) said that 5 weeks was a minimum period. Of course, by the 12-week gestation period, it was possible to follow the development of the fetus and determine whether the pregnancy threatened the health of the woman.

23. The data on women employed as professional and support staff contained in table 2 in paragraph 221 of the report did not mean that the 59 per cent of women referred to were working in low paid jobs. To have a clear picture of what the Government was doing to create equal opportunities, it was necessary to consult other data, which had also been provided to the International Labour Organization (ILO) Conference Committee on the Application of Standards. Employment sector and salary were largely determined by education level and qualifications. Frequently, women did not pursue their studies beyond secondary education and basic vocational training, although a number of women did have specialist training and held higher management positions. The Ministry of Labour and Social Protection had set up a commission to consult young professionals with a view to better matching future education and training with job opportunities.

24. The Act on State Guarantees of Equal Rights and Opportunities for Women and Men provided for protections against sexual harassment and violence against women. To date, neither the courts nor government bodies responsible for monitoring compliance with the law on gender equality had received any complaints about sexual harassment in the workplace.

25. **The Chair** asked whether abortions could be performed at a woman's request or only on a doctor's recommendation.

26. **Ms. Eghobamien-Mshelia** said that she commended the Government on the provision of free services, including medical care, water and electricity, and wondered whether this formed part of the Government's plan to meet the Sustainable Development Goals. She asked how all citizens could be provided for in key development areas and what schemes were available to people living below the poverty line. She would appreciate information on the situation of unemployed women in rural areas.

27. She asked how people gained access to free the health care system and whether pre- and post-natal care was provided for under the system, whether beneficiaries required insurance and how efficiently health services were delivered to poor, rural women. It would be useful to know what criteria were used to grant housing allowances, whether they were gender-sensitive and what proportion of women were benefiting from them.

28. Given that many women were in low-earning sectors and did unpaid work, it would be helpful to know whether the Government planned to conduct gender-sensitive assessments of pension benefits and increase its contribution to women's pensions. Did the system extend to informal and rural workers?

29. She asked what measures had been taken to enable unemployed persons and persons with disabilities to become self-employed and undertake entrepreneurial activities. In addition, what targets had been set within the framework of the action plan to fulfil the working rights of persons with disabilities and how did the plan meet women's needs? It would be useful to discover what social and financial services were available to poor and unemployed women and whether the Government had considered initiatives to encourage women to set up businesses, such as granting loans or venture capital. She asked whether the reported restrictions on freedom of movement were denying women opportunities for securing better job opportunities and improved quality of life and whether childcare services existed, notably to reduce women's burden of unpaid care work. Furthermore, she wondered whether the restrictions placed on women's employment in certain jobs included

39. **Ms. Sysoyeva** (Turkmenistan) said that every government department that provided services kept a list of the benefits that it made available to different categories of citizens. Some 90 per cent of women in rural areas were in employment. A major development programme was under way, in accordance with which the Government set social and cultural targets and targets relating to the creation of jobs in certain sectors. As a result of the programme, the health-care sector, the culture sector, the education sector, the food industry and the textile industry were all expanding very quickly.

40. **Mr. Govshudov** (Turkmenistan) said that the State provided childcare services for children up to 6 years of age throughout the country.

41. **Ms. Sysoyeva** (Turkmenistan) said that support was provided to mothers of children aged up to 3 years who wished to look after their children at home. Such mothers could also make use of the childcare services provided by the State.

42. **Mr. Govshudov** (Turkmenistan) said that different types of childcare were available for children under the age of 3 and children aged between 3 and 6 years. When children reached the age of 6, they started primary school.

Articles 15 and 16

43. **Ms. Hayashi**, noting that the minimum age for entering marriage was 18 years for both men and women, said that statistics published in 2016 indicated that around 7 per cent of women had married before reaching the age of 18. In view of that situation, she asked what steps had been taken to implement legislation on the prohibition of early and forced marriage. The Committee would also be interested to learn what measures were being taken to protect women against dowry-related abuse by members of their husband's families.

44. She wished to know what percentage of women entered polygamous marriages and whether such women had any rights to inherit marital property or obtain custody of children when their husband died. Although the Committee welcomed the fact that polygamous marriages had been banned, it urged the Government to take steps to protect the rights of women who had entered into such marriages before the ban had been implemented.

45. She asked what measures had been taken to extend existing legal provisions to couples living in de facto unions, in accordance with the recommendation made by the Committee in its previous concluding observations to the State party (CEDAW/C/TKM/CO/3-4, para. 39 (b)). The Committee would welcome the delegation's comments on allegations that women living abroad who wished to marry foreign nationals were required to return to the State party to obtain the requisite documentation and were then prevented from leaving by the authorities. She asked whether investigations into those allegations would be carried out and what formal or informal obstacles were faced by Turkmen women who wished to marry foreign nationals.

46. Noting that inadequate notice and compensation were given to families whose homes were demolished in the course of urban regeneration programmes, she asked what measures were taken to protect the rights of such families. Although the Government provided compensation to persons who had registered their properties, the properties of many women were unregistered because the authorities had refused to register them. In view of that situation, she asked what steps were being taken to eliminate discrimination against women in the area of property registration, to combat corruption in that area and to provide fair and non-discriminatory compensation to women who had lost their homes as a result of urban regeneration programmes.

47. **Mr. Seyilov** (Turkmenistan) said that gender equality was ensured by legislation governing family relationships. The Government constantly undertook reforms to ensure that it implemented its international legal obligations, including in the area of family relationships.

48. If a Turkmen national wished to marry a foreign national, both parties to the marriage were required to adopt the same nationality. If the parties could not agree on which nationality to adopt, they could seek to resolve the disagreement through consular channels.

49. Under a series of amendments made to the Family Code, families, mothers and children were protected from economic hardship. Men and women enjoyed equal rights when entering into marriage, during the marriage and in the event that the marriage ended.

50. **Ms. Hayashi** said that the Committee was aware that gender equality was enshrined in the law of the State party but wished to know whether the corresponding legislation was fully implemented. It would also welcome further information on the extent to which women were able to obtain access to justice when laws on gender equality were violated.

51. **Mr. Seyilov** (Turkmenistan) said that polygamy was defined and punishable under the Family Code. Persons who wished to marry were required to provide proof that they were not already married.

52. **Mr. Haljanov** (Turkmenistan) said that Turkmen citizens who wished to marry were able to obtain the requisite documentation from national embassies or consulates in other countries, irrespective of whether they were marrying a Turkmen national or a foreign national. Turkmen nationals were not required to return to Turkmenistan in order to obtain such documentation.

53. **Mr. Govshudov** (Turkmenistan) said that the Government was strongly committed to meeting its national and international human rights obligations. Considerable efforts had been made to meet those obligations and to prepare for the interactive dialogue with the Committee. The Government was proud of the history of the country and of the progress that it had made. The dialogue had been very constructive and had provided the delegation with an excellent opportunity to learn from the Committee's experts.

The meeting rose at 4.40 p.m.